

REMARKS/ARGUMENTS

Claims 1, 8, 9, 13-16, 19 and 20 were pending in this application. According to the December 2, 2003 Office Action, claims 1, 8, 9, 13-16, 19 and 20 were rejected. Applicants have amended claims 1 and 14. Accordingly, claims 1, 8, 9, 13-16, 19 and 20 are under consideration. Applicants maintain that the amendments do not introduce any new matter.

Rejection under 35 U.S.C. §112

The Examiner rejected claims 8 and 9 under 35 U.S.C. §112, second paragraph, as allegedly being incomplete for omitting essential steps, such omission amounting to a gap between the steps.

In response, Applicants have amended claim 1 to add essential steps as requested by the Examiner. Support for the amendments to claim 1 is as follows. Specifically, that the compound to be converted has to be mixed with the metal particles is, for example, described in Example 9. It is also clear from the examples that the conversion has to be conducted at an appropriate temperature under an appropriate pressure. The examples also describe that a gas has to be introduced. The separation of the product obtained is, for example, described on page 9, third paragraph of the description. Furthermore, claim 14 was also amended to delete the term “nanoparticle-stabilizing.” Accordingly, the Examiner is kindly requested to withdraw this rejection.

Double Patenting Rejection

The Examiner provisionally rejected claims 1, 8, 9, 13, 19 and 20 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 19 and 20 of co-pending Application No. 10/340,913 (“the '913 Application”).

In response, Applicants will address this rejection if and when co-pending Application No. 10/340,913 is allowed since this rejection is only a provisional one.



In light of the foregoing, it is respectfully submitted that this application is now in condition to be allowed and the early issuance of a Notice of Allowance is respectfully solicited. If there are any issues or amendments the Examiner wishes to discuss, the Examiner is encouraged to contact the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 1, 2004:

Charles C. Achkar

Name of applicant, assignee or
Registered Representative

Charles Achkar

Signature

March 1, 2004

Date of Signature

Respectfully submitted,

Charles Achkar

Charles C. Achkar

Registration No.: 43,311

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

RCF/CCA:lac

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